

THE OFFICE OF REGULATORY STAFF

DIRECT TESTIMONY

OF

JAMES M. McDANIEL

July 2, 2009



DOCKET NO. 2009-65-C

**Application of Everycall Communications,
Inc. for Certification as an Eligible
Telecommunications Carrier**

DIRECT TESTIMONY OF JAMES M. MCDANIEL

FOR

THE OFFICE OF REGULATORY STAFF

DOCKET NO. 2009-65-C

**IN RE: Application of Everycall Communications, Incorporated for Designation as
an Eligible Telecommunications Carrier**

**Q. PLEASE STATE YOUR NAME, BUSINESS ADDRESS AND
OCCUPATION.**

A. My name is James M. McDaniel, and my business address is 1401 Main Street, Suite 900, Columbia, South Carolina 29201. I am employed by the South Carolina Office of Regulatory Staff ("ORS") as a Program Manager in the Telecommunications Department.

**Q. PLEASE STATE YOUR EDUCATIONAL BACKGROUND AND
EXPERIENCE.**

A. I received a Bachelor of Science degree in Engineering from the University of South Carolina. I worked for the Public Service of Commission of South Carolina ("Commission" or "PSC") as an associate engineer and chief of the telecommunications area in the Utilities Department for approximately 28 years. In September 2004, I joined the ORS as a Program Manager in the Telecommunications Department.

1 **Q. HOW LONG HAVE YOU PROVIDED REGULATORY OVERSIGHT TO**
2 **TELECOMMUNICATIONS UTILITIES?**

3 A. I have over 30 years experience in the regulation of the
4 telecommunications industry in South Carolina.

5 **Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY IN THIS**
6 **PROCEEDING?**

7 A. The purpose of my testimony is to set forth ORS staff findings relative to
8 its review of Everycall Communications, Inc.'s ("Everycall", or "Company")
9 application for Eligible Telecommunications Carrier ("ETC") designation within
10 the State of South Carolina.

11 **Q. ARE THE FINDINGS OF YOUR REVIEW CONTAINED IN THIS**
12 **TESTIMONY?**

13 A. Yes.

14 **Q. PLEASE EXPLAIN HOW YOU COMPILED INFORMATION FOR YOUR**
15 **TESTIMONY.**

16 A. I compared the information provided in Everycall's application and direct
17 testimony with the requirements contained in Commission Regulation 103-690
18 (Supp. 2008), which sets out the requirements for ETC designation. Regulation
19 103-690 became effective on May 23, 2008. Additionally, I reviewed the filings
20 and records maintained by ORS.

21 **Q. PLEASE PROVIDE AN OVERVIEW OF YOUR REVIEW OF**
22 **EVERYCALL'S APPLICATION.**

1 A. Everycall's application was filed with the Commission on February 11,
2 2009. Everycall is seeking ETC designation in South Carolina in the areas
3 served by BellSouth Telecommunications, Inc. d/b/a AT&T South Carolina,
4 which is classified as a non-rural carrier. Additionally, Everycall is seeking
5 federal low income support for the purpose of providing Lifeline and Link Up
6 service offerings to its eligible consumers in South Carolina.

7 **Q. IS EVERYCALL REQUESTING ETC DESIGNATION FOR THE**
8 **PURPOSE OF RECEIVING FEDERAL HIGH COST UNIVERSAL**
9 **SERVICE FUND SUPPORT?**

10 A. No. According to its application, Everycall is not seeking high cost
11 support from the federal universal service fund.

12 **Q. DOES THE APPLICATION FILED BY EVERYCALL COMPLY WITH**
13 **COMMISSION REGULATIONS FOR ETC DESIGNATION?**

14 A. Yes. ORS found Everycall's application to be compliant with Commission
15 regulations.

16 **Q. IS EVERYCALL IN COMPLIANCE WITH THE COMMISSION'S**
17 **REGULATORY REQUIREMENTS?**

18 A. Yes. A review of ORS records reflects that Everycall is currently in
19 compliance with all regulatory requirements.

20 **Q. DOES ORS RECOMMEND APPROVAL OF THE STIPULATION**
21 **AGREED TO BY THE PARTIES IN THIS DOCKET?**

22

1 A. Yes. Following extensive discussions, the parties have each determined
2 that their interests, as well as the interests of the public, would be best served by
3 settling all pending issues in this proceeding.

4 It is the position of ORS that the Stipulation as presented to this
5 Commission is a fair, reasonable and full resolution to all issues in this
6 proceeding. Further, the Stipulation represents the public interest as set forth in
7 S.C. Code Ann. § 58-4-10 (Supp. 2008), which requires a balancing of the
8 concerns of the using and consuming public, the economic development of South
9 Carolina, and the financial integrity of the State's public utilities.

10 Additionally, Everycall's request for ETC designation in South Carolina
11 will expand the availability of Lifeline and Link up programs to eligible
12 consumers. As stated earlier, it is the position of ORS that this Stipulation is a
13 fair, reasonable and full resolution to all issues in this proceeding, and I would
14 request the Commission approve the Stipulation as presented today.

15 **Q. DOES THIS CONCLUDE YOUR DIRECT TESTIMONY?**

16 A. Yes.

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2009-65-C

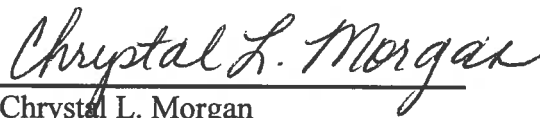
IN RE:

**Application of Everycall Communications,
Incorporated for Designation as an Eligible
Telecommunications Carrier**

)
) **CERTIFICATE OF**
) **SERVICE**
)

This is to certify that I, Chrystal L. Morgan, have this date served one (1) copy of the **DIRECT TESTIMONY OF JAMES M. McDANIEL** in the above-referenced matter to the person(s) named below by causing said copy to be deposited in the United States Postal Service, first class postage prepaid and affixed thereto, and addressed as shown below:

Scott Elliott, Esquire
Elliott & Elliott, P.A.
721 Olive Street
Columbia, SC, 29205



Chrystal L. Morgan

July 2, 2009
Columbia, South Carolina